THE

BISHOP of *CARLILE's*

SPEECH

IN

PARLIAMENT,

Concerning Depoſing of

PRINCES.

Thought Seaſonable to be Publiſhed to this Murmuring Age.

— *Nutrum modo mas modo Vulgus.*

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THE BISHOP of *CARLILE's* SPEECH IN PARLIAMENT, Concerning Deposing of PRINCES.

THis queſtion (*Right Honourable Lords*) concerneth a matter of great Conſequence and Weight: The determining whereof will aſſuredly procure, either Safe, Quiet, or dangerous diſturbance, both to our particular Conſciences, and alſo to the common State. Therefore before yourſelve upon it, I pray you call to your conſiderations theſe two things: Firſt, whether King *Richard* be ſufficiently depoſed or no: Secondly, whether King *Henry* be with good Judgement or Juſtice choſen in his place. For the firſt point we are firſt to examine, whether a King, being lawfully and fully inſtituted by any Juſt Title, may upon impution either of Negligence, or of Tyranny, be depoſed by his Subjects: Secondly, what King *Richard* hath omitted in the one, or committed in the other, for which he ſhould deſerve ſo heavy Judgment. I will not ſpake what may be done in a Popular State, or in a Conſular; in which although one beareth the Name and Honour of a Prince, yet he hath not Supreme Power of Majeſty; but in the one, the people have the higheſt Empire; in the other, the Nobility, and chief Men of Eſtate; in neither, the Prince. Of the firſt ſort was the Common-Wealth of the *Lacedemonians*, who after the form of Government which *Lycurgus* framed, oftentimes Fined, oftentimes Fettered their Kings, and ſometimes Condemned them to Death: Such were alſo, in *Cæſars* time, the petty Kings of every Citty in *France*; who were many times Arraigned upon life and death, and (as *Ambiorix* Prince of the *Leodienſes* confeſſed) had no greater Power over the People, than the People had over them. Of the ſecond condition were the Roman Emperours at firſt: of whom ſome, namely, *Nero* and *Maximinus* were openly Condemned, others were ſuddenly ſurprized by Judgment, and Authority of the Senate: and ſuch are now the Emperors of *Germany*, whom the other Princes by their Ariſtocratical Power, do not only reſtrain, but ſometimes alſo remove from their Imperial State: ſuch are alſo the Kings of *Denmark*, and *Sweedland*, who are many times by the Nobility dejected, either into Priſon, or into Exile: Such likewiſe are the Dukes of *Venice*, and of ſome other free States in *Italy*: and the chiefeſt cauſe for which

Tranquil. in Caligula. Tacitus in Præmio.

which *Lewes* Earl of *Flanders* was lately expelled from his place, was for drawing to himself cogniſance in matters of Life and Death, which high Power never pertained to his Dignity.

In theſe and ſuch like Governments, the Prince hath not regall Rights, but is himſelf ſubject to that Power which is greater than his, whether it be in the Nobility or in the Common People. But if the Soveraign Majeſty be in the Prince, as it was in the three firſt Empires, and in the Kingdom of *Judea*, and *Iſrael*; and is now in the Kingdoms of *England*, *France*, *Spain*, *Scotland*, *Muſcovia*, *Turky*, *Tartaria*, *Perſia*, *Ethiopia*, and almoſt all the Kingdomes of *Aſia*, and *Africke*: Although for his Vices he be unprofitable to the Subjects, yea Hurtful, yea Intollerable: Yet can they lawfully neither harm his Perſon, nor hazard his Power, whether by Judgment, or elſe by Force: For neither one, nor all Magiſtrates have any Authority over the Prince, from whom all Authority is derived, and whoſe only preſence doth ſilence, and ſuſpend all inferiour Juriſdiction and Power. As for Force, what Subject can Attempt, or Aſſiſt, or Counſel, or Conceal Violence againſt his Prince, and not incurr the high and Henious Crime of Treaſon?

It is a common ſaying, thought is free: Free indeed from Puniſhment of ſecular Laws, except by Word or Deed it break forth into action: Yet the ſecret thoughts againſt the ſacred Majeſty of a Prince, without attempt, without endeavour, have been adjudged worthy of death: And ſome who in auricular Confeſſion, have diſcovered their Treacherous Deviſes againſt the Perſon of their Prince, have afterwards been Executed for the ſame. All Laws do exempt a Mad Man from Puniſhment: Becauſe their Actions are not governed by their will and purpoſe: And the will of Man being ſet aſide, all his doings are indifferent, neither can the Body offend without a Corrupt or Erroneous mind: Yet if a Mad Man draw his Sword upon his King, it hath been adjudged to deſerve Death. And leſt any Man ſhould ſurmiſe that Princes, for the maintenance of their own ſafety and Soveraignty, are the only Authors of theſe Judgments: Let us a little conſider the Patterns and Precepts of Holy Scripture. *Nebuchadnezzar* King of *Aſſyria*, waſted all *Paleſtine* with Fire and Sword, oppugned *Hieruſalem* a long time, and at the laſt expugned it: Slew the King: Burnt the Temple: Took away the Holy Veſſels and Treaſure: The reſt he permitted to the Cruelty and Spoyl of his unmerciful Souldiers: Who defiled all places with Rape and Slaughter, and ruinated to the ground that flouriſhing Citie: After the Glut of this bloody Butchery, the people which remained, he led Captive into *Chaldea*: And there erected his Golden Image; and commanded that they which refuſed to Worſhip it, ſhould be caſt into a fiery Furnace.

What Cruelty, what Injuſtice, what Impiety is comparable to this? And yet God calleth *Nebuchadnezzar* his Servant, and promiſeth Heir and Wages for his Service: And the Prophets *Jeremiah* and *Baruch* did Write unto the *Jews* to pray for the life of him, and of *Baltazar* his Son, that their days might be upon Earth as the days of Heaven: And *Ezechiel* with bitter terms abhorreth the diſloyalty of *Zedechia*, becauſe he revolted from *Nebuchadnezzar*, whoſe Homager and Tributary he was. What ſhall we ſay of *Saul*? Did he not put all the Prieſts to Execution, becauſe one of them did revile Holy and harmleſs *David*? Did he not violently Perſecute that his moſt Faithful Servant and Dutiful Son in Law? During which purſuit, he fell twice into the Power of *David*; who did not only ſpare, but alſo protect the King, and reproved the Pretorian Souldiers for their negligent Watch, and was touched in Heart for cutting away the Lap of his Garment: And afterwards cauſed the Meſſenger to be Slain, who upon Requeſt and for Pitty, had lent his hand (as he ſaid) to help forward the voluntary Death of that Sacred King. As for the contrary Examples: As that of * *Jehu* who Slew *Jehoram* and *Ahazia*, Kings of *Iſrael* and *Juda*: They were done by expreſs Oracle and Revelation from God, and are no more ſet down for our imitation, than the robbing of the *Ægyptians*, or any other particular and priviledged Commandement; but in the general Precept, which all Men muſt ordinarily follow, not only our Actions, but our Speeches alſo, and our very thoughts

* So did *Domitian* put to death *Epaphroditus*, *Neroes* libertine, becauſe he helped *Nero* (although in love) to kill himſelf. So did *Severus* kill all the killers of *Pertinax* his Predeceſſour; and likewiſe *Vitellius* did put to death all the Murtherers of *Galba*. *Theophilus* Emperour of *Grecia* cauſed all thoſe to be Slain, who had made his Father Emperour, by killing *Leo Armazius*. And *Alexander* the great put to cruel Execution, thoſe that had Slain *Darius* his Mighty and Mortal Enemy.

are ſtrictly charged with Duty and Obedience unto Princes; whether they be good or evil, the Law of God ordaineth: *That he which doth preſumptiouſly againſt the Ruler of the people ſhall die*: And the Prophet *David* forbiddeth, to touch the Lords Annointed *Thou ſhalt not* (ſaith the Lord) *rail upon the Judges, neither ſpeake evil againſt the Ruler of the People.* And the Apoſtles do demand further, that even our thoughts and Souls be obedient to higher Powers. And leaſt any ſhould imagine that they meant of good Princes only, they ſpake generally of all; and further to take away all doubt, they make expreſs mention of the evil. For the Power and Authority of wicked Princes is the Ordinance of God; and therefore CHRIST told *Pilate*, that the Power which he had was given him from above; and the Prophet *Eſay* calleth *Cyrus*, being a Prophane and Heathen Prince, the Lords Annointed. For God ſtirred up the Spirit even of wicked Princes to do his will; and (as *Jehoſaphat* ſaid to his Rulers) they Execute not the Judgment of Man, but of the Lord: In regard whereof *David* calleth them Gods; becauſe they have their Rule and Authority immediately from God: Which if they abuſe, they are not to be adjudged by their Subjects, for no Power within their Dominion is ſuperior to theirs: But God reſerveth them to the foreſt Trial: *Horribly and ſudainly* (ſaith the *Wiſeman*) *will the Lord appear unto them, and a hard Judgment ſhall they have.*

Deut. 17. 12. Pſal. 105. 15. Exod. 22. 28. Act. 23. 5. Rom. 13. 1. 13. Tit. 3. 1. 1 Pet. 2. 13, 14, 17. 1 Tim. 2. 2. Rom. 13. 2. John 19. 11. Cap. 45. 1. 2 Chron. 36. 2. 2 Chron. 19. 6. Pſal. 28. Sap. 6. 5.

The Law of God commandeth that the Child ſhould be put to death, for any contumely done unto the Parents: But what if the Father be a Robber? If a Murtherer: If for all exceſs of Villanies, odious and execrable both to God and Man? Surely he deſerveth the higheſt Degree of Puniſhment, and yet muſt not the Son lift up his hand againſt him, for no offence is ſo great as to be Puniſhed by Parricide: But our Countrey is dearer unto us than our Parents: and the Prince is *Pater patriæ*, the Father of our Countrey: And therefore more ſacred and dear unto us, than our Parents by nature, and muſt not be violated, how imperious, how impious ſo ever he be: Doth he command or demand, our Perſons or our Purſes, we muſt not ſhun for the one, nor ſhrink for the other: For (as *Nehemiah* ſaith,) *Kings have Dominion over the Bodies and over the Cattel of their Subjects at their pleaſure.* Doth he enjoyn thoſe actions which are contrary to the Laws of God? We muſt neither wholly Obey, nor violently Reſiſt, but with a conſtant Courage ſubmit our ſelves to all manner of puniſhment, and ſhew our ſubjection by enduring, and not performing: Yea the Church hath declared it to be an Hereſie, to hold that a Prince may be Slain or Depoſed by his Subjects, for any diſorder or default, either in Life, or elſe in Government, there will be faults ſo long as there are Men: And as we endure with Patience a Barren Year, if it happen, and unſeaſonable Weather, and ſuch other defects of nature, ſo muſt we tollerate the imperfections of Rulers and quietly expect, either reformation, or elſe a change.

Quintil in declam. Cic. offic. lib. 1. Nehem. 9. 37. *Alphonſ. a caſt in lib. de hæreſ. in verb. Tiran. Dom. Sot. lib. 5. de juſt. & jur. q. 1. artic. 3.*

But alas good King *Richard*, what ſuch Cruelty? What ſuch Impiety hath he ever committed? Examine rightly thoſe Imputations which are laid againſt him, without any falſe Circumſtance of aggravation, and you ſhall find nothing objected, either of any truth, or of great Moment. It may be that many errours and overſights have eſcaped him, yet none ſo grievous to be termed Tyranny; As proceeding rather from unexperienced Ignorance, or corrupt Counſel, than from any natural and willful Malice. Oh, how ſhall the World be peſtered with Tyrants, if Subjects may Rebel upon every pretence of Tyranny? How many good Princes ſhall dayly be ſuppreſſed by thoſe, by whom they ought to be ſupported? If they leavy a Subſidy, or any other Taxation, it ſhall be claimed oppreſſion: If they put any to death for Trayterous Attempts againſt their Perſons, it ſhall be exclaimed Cruelty: If they do any thing againſt the Luſt and liking of the People, it ſhall be proclaimed Tyranny.

But let it be, that without Authority in us, or deſert in him, King *Richard* muſt be depoſed: Yet what right had the Duke of *Lancaſter* to the Crown? Or what reaſon have we without his right to give it to him? If he make Title as Heir unto King *Richard*, then muſt he yet ſtay until King *Richards* death: For no Man can ſucceed as Heir to one that liveth. But it is well know to all Men, who are not either wilfully Blind or groſly Ignorant, that there are ſome now alive, Lineally deſcended from *Lionel* Duke of *Clarence*, whoſe Off-ſpring was by Judgment of the High Court of Parliament holden the eight

Year of the Raign of King *Richard*, declared next Succeſſor to the Crown, in caſe King *Richard* ſhould die without Iſſue. Concerning the Title from *Edmund Chrouchback*, I will paſs it over, ſeeing the Authors thereof are become aſhamed of ſo abſurd abuſe, both of their own knowledge, and our Credulity, and therefore all the claim is now made, by right of Conqueſt; by the Seſſion and grant of King *Richard*; and by the general conſent of all the people. It is a bad Wooll that can take no colour: But what Conqueſt can a Subject pretend againſt his Soveraign, where the War is inſurrection, and the Victory high and Heinous Treaſon? As for the reſignation which King *Richard* made, being a pent Priſoner for the ſame cauſe; it is an act exacted by force: And therefore of no force and validity to bind him: And ſeeing that by the Laws of this Land, the King alone cannot alienate the Ancient Jewels and Ornaments partaining to the Crown, ſurely he cannot give away the Crown it ſelf, and therewithal the Kingdome.

Neither have we any cuſtome, that the people at pleaſure ſhould elect their King: But they are always bound unto him, who by right of Blood is right Succeſſour; much leſs can they confirm and make good that Title, which is before by violence uſurped: For nothing can then be freely done, when liberty is once reſtrained by fear. So did *Scylla* by terrour of his Legions, obtain the Law of *Vellia* to be made, whereby he was created Dictatour for fourſcore Years: And by like impreſſion of fear, *Caſar* cauſed the Law *Servia* to be promulged, by which he was made perpetual Dictatour: But both theſe Laws were afterwards adjudged void. As for the Depoſing of King *Edward* the ſecond it is no more to be urged, than the Poiſoning of King *John*, or the Murdering of any other good and lawful Prince: We muſt live according to Laws, and not to Examples: And yet the Kingdom was not then taken from the lawful Succeſſour. But if we look back to times lately paſt, we ſhall find that theſe Titles were more ſtrong in King *Stephen*, than they are in the Duke of *Lancaſter*. For King *Henry* the firſt being at large liberty, neither reſtrained in body, nor conſtrained in mind, had appointed him to ſucceed: (as it was upon good credit, certainly affirmed;) The people aſſented to this deſignment; and thereupon without fear, and without force, he was annointed King, and obtained full poſſeſſion of the Realm. Yet *Henry* (Son of the Earl of *Anjowe*) having a neerer right by his Mother to the Crown, (notwithſtanding his Father was a ſtranger, and himſelf born beyond the Seas (raiſed ſuch Rough Wars upon King *Stephen*, that there was no end of ſpoiling the Goods and ſpilling the Blood of the unhappy people, beſides the ruins and deformities of many Cities and Holds; until his lawful inheritance was to him aſſured. It terrifieth me to remember how many flouriſhing Empires, and Kingdoms have been by means of ſuch Contentions either torn in pieces with deteſtive diviſion, or ſubdued to forraign Princes, under pretence of aſſiſtance and aid: And I need not repeat how ſore this Realm hath heretofore been ſhaken with theſe ſeueral Miſchieves: And yet neither the examples of other Countries, nor the Miſeries of our own, are ſufficient to make us to beware.

O *Engliſh Men*, worſe Bewitched than the Fooliſh *Galathians*; our unſtayed minds and reſtleſs reſolutions, do nothing elſe but hunt after our own harms: No people have more hatred abroad, and none leſs quiet at home: In other Countreys the Sword of Invaſion hath been ſhaken againſt us: In our own Land, the fire of Inſurrection hath been kindled among us: And what are theſe innovaſions, but Whetſtones to ſharpen the one and Bellows to blow up the other.

Certainly, I fear that the ſame will happen unto us which *Æſop* fableth to have been fallen unto the Froggs; who being deſirous to have a King, a Beam was given unto them: The firſt fall whereof did put them in ſome fear, but when they ſaw it lie ſtill in the Stream, they inſulted thereon with great contempt, and deſired a King of quicker courage: Then was ſent unto them a Storke, which ſtalking among them with ſtately ſteps, continually devoured them. The mildneſs of King *Richard* hath bred in us this ſcorn, Interpreting it to be cowardiſe and dulneſs of nature: The next Heir is likewiſe rejected

jected: I will not say that with greater Courage we shall find greater Cruelty; but if either of these shall hereafter be able to set up their side, and bring the matter to Trial by arms, I do assuredly say, that which part soever shall carry the Fortune of the Field, the people both ways must go to wrack. And thus have I declared my mind concerning this question, in more words than your Wisdom, yet fewer then the weight of the Cause doth require. And do boldly conclude, that we have neither Power nor Pollicy, either to depose King *Richard*, or to elect Duke *Henry* in his place; that King *Richard* remaineth still our Soveraign Prince, and therefore it is not lawful for us to give Judgment upon him; that the Duke whom you call King, hath more offended against the King and the Realm, than the King hath done, either against him or us; for being Banished the Realm for ten Years by the King and his Counsel (amongst whom his own Father was chief) and sworn not to return again without special Licence, He hath not only violated his Oath, but with impious Arms disturbed the quiet of the Land, and dispossessed the King from his Royal Estate, and now demandeth Judgment against his Person, without Offence proved, or Defence heard. If this Injury and this Perjury doth nothing move us, yet let both our private and common dangers somewhat withdraw us from these violent proceedings.

FINIS.

F147683

The Characteriſtie Deſcription of this Stout and Renowned Champion of Fidelity and Loyalty; the Reader may be pleaſed to take it Tranſcribed from the Learned Francis Godwin *Biſhop of* Hereford; *In his Succeſſion of the Biſhops of* England; jiſdem verbis, *as he there relates it.*

THomas *Merks* a Monk of *Weſtminſter*, was likewiſe thruſt into this Biſhoprick by the Pope at the Kings Requeſt, and Conſecrated, 1397. Amongſt many unworthily preferred in thoſe days, he undoubtedly was a Man well deſerving that Honour; for he was a Man Learned and Wiſe, but principally to be commended Firſt, for his conſtant and unmoveable Fidelity unto his Patron, and Preferrer King *Richard* the ſecond, then, for his excellent courage in profeſſing the ſame, when he might ſafely, yea and honeſtly, alſo have concealed his Affection. Some others there were (of the Nobility) that remembring their Duty and Allegiance, when all the World beſide forſook that unfortunate Prince, followed him with their beſt aſſiſtance, even till the time of his Captivity. This Man nothing regarding the danger might inſue, not only refuſed to forſake him, when he had forſaken himſelf, but defended him and his cauſe the beſt he could, when he might well perceive his endeavour might hurt himſelf much without any poſſibility of helping the other. When the Furious and unſtable Multitude, not contented that King *Richard* had reſigned his Crown to ſave the Head that ware it, and their Darling *Hen.* 4. ſeated himſelf in his Royal Throne, importuned the Parliament aſſembled to proceed yet further againſt him, deſiring no doubt, that to make all ſure, his Life might be taken from him. This Worthy and Memorable Prelate ſtepping forth, doubted not to tell them, that there was none amongſt them meet to give Judgment upon ſo Noble a Prince as King *Richard* was, whom they had taken for their Soveraign and Liege Lord for the ſpace of 22 years and more. And proceeding further, I aſſure you, quoth he, (I report his words as I find them in our *Chronicles*) there is not ſo rank a Traytor, nor ſo errand a Thief, nor yet ſo cruel a Murtherer. apprehended, or detained in Priſon for his offence, but he ſhall be brought before the Juſtice to hear Judgment; and will you proceed to the Judgment of an Annointed King, hearing neither his Anſwer nor Excuſe? I ſay, and will avouch, that the Duke of *Lancaſter* (whom you call King) hath more treſpaſſed to King *Richard* and his Realm, then King *Richard* hath done either to him or us. For it is manifeſt and well known, that the Duke was Baniſhed the Realm by King *Richard* and his Council, and by the Judgment of his own Father, for the ſpace of ten years, for what cauſe you remember well enough. This notwithſtanding, without Licence of King *Richard* he is returned again into the Realm, and that is worſe, hath taken upon him the Name, Title, and Preheminence of King. And therefore I ſay that you have done manifeſt wrong to proceed againſt King *Richard* in any ſort, without calling him openly to his Anſwer and Defence. This Speech ſcarcely ended, he was attached by the Earl Marſhal, and for a time committed to Ward in the Abby of St. *Albanes*. Continuing yet his Loyal Affection to his diſtreſſed Maſter. Soon after his inlargment, he joyned with the *Hollands* and others in a Conſpiracy againſt King *Henry*: Which being bewrayed to the Deſtruction of all the reſt, he only was pardoned. Peradventure in regard of his calling; For it had never been ſeen hitherto that any Biſhop was put to death by order of Law. Peradventure in ſome kind of favour and admiration of his Faithful conſtancy (for Vertue will be Honoured even of her Enemies) Peradventure elſe to this end, that by forcing him to live miſerably, they might lay a Puniſhment upon him more grievous then death, which they well ſaw he deſpiſed. The Pope (who ſeldome denied the King any requeſt that he might afford good cheap) was eaſily entreated to tranſlate forſooth this good Biſhop from the See of *Carlile*, that yielded him Honourable maintainance, unto *Samos* in *Greece*, whence he knew he ſhould never receive one penny profit. He was ſo happy as neither to take benefit of the gift of his Enemy, nor to be hurt by the masked Malice of his Counterfeit Friends, diſdaining as it were to take his Life by his Gift, who took away from his Maſter both Life, and Kingdom, he died ſhortly after his deliverance, ſo deluding alſo the morkery of his Tranſlation, whereby (things ſo falling out) he was nothing damnified.

Quicquid in Hiſtoriâ diſcribitur, vel ad imitandum indigitat, vel ad evitandum inſtruit.